

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
DOCKET NO. 3:06CR126-MOC-DSC-1**

UNITED STATES OF AMERICA)
)
)
v.) **O R D E R**
)
)
MERCEDES FARQUHARSON,)
)
)
Defendant.)

THIS MATTER is before the Court pursuant to a letter dated May 24, 2011 from Warden Joe Keffer of the Federal Medical Center, Carswell in Fort Worth, Texas and a Forensic Evaluation Report by Leslie Powers, Ph.D., dated May 10, 2011. It is their professional opinion that Defendant “continues to suffer from a mental disease or defect that renders her unable to understand the nature and consequences of the proceedings against her and to assist properly in her own defense. It is also our opinion that additional efforts toward restoration of competency would be unsuccessful.” The Court held a hearing to determine Defendant’s competency on July 19, 2011.

Upon examination of the record in this case, the Court finds that Defendant is presently suffering from a mental disease or defect rendering her mentally incompetent to the extent that she is unable to understand the nature and consequences of the proceedings against her and to assist properly in her defense.

Based upon this finding, the Government moved for Defendant to be evaluated under 18 U.S.C. § 4246 in order to determine if she is presently suffering from a mental disease or defect as a result of which her release would create a substantial risk of bodily injury to another person or serious damage to property of another.

Accordingly, based of the foregoing, **IT IS HEREBY ORDERED:**

1. That pursuant to 18 U.S.C. § 4241(d) and 4246(b), the Defendant be committed forthwith to the custody of the Attorney General for placement in a suitable facility for the purpose of a psychological or psychiatric examination of Defendant pursuant to 18 U.S.C. § 4246;
2. That the time period for the examination be calculated to begin upon the Defendant's arrival at the designated institution; and
3. That the report of the results of such examination be filed with the Court with copies provided to defense counsel and the United States Attorney as required by 18 U.S.C. § 4247(c).

The Clerk is directed to certify copies of this Order to defense counsel, the United States Attorney, and the United States Marshal, with two additional copies for transmittal by the Marshal to the Warden of the designated institution.

SO ORDERED.

Signed: July 20, 2011



David S. Cayer
United States Magistrate Judge

